

The Virgin Islands Consortium

Kevin Rodriguez Speaks On His Own Behalf At All-Day Session

VIC News / **Published On June 28, 2017 11:28 AM /**

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ST. THOMAS -- It seemed wherever you went on Tuesday -- a bar, grocery store, salon, barbershop -- the Senate session that was to determine Senator-elect Kevin Rodriguez's fate was topic number 1. Online, especially on Facebook, the discussion consumed locals and the diaspora alike, and with strong opinions being made for either Mr. Rodriguez, or Janelle Sarauw.

Hours of deliberations, multiple revelations and accusations later, as well as some tough questioning from senators and the occasional out-of-order call by Senator Nereida Rivera-O'Reilly as she tried to keep the high stakes session from descending into chaos, and Virgin Islanders have yet to see an end to the saga, with the session set to continue

today.

Whatever the outcome is, however, it will serve as guide to inform future cases for years.

"The testifiers have provided their final words, I want to thank all the testifiers that came before us this evening," said Senate President Myron Jackson, who for most of the session -- which started just after 10:00 a.m. on Tuesday and went past midnight -- had left presiding matters to Mrs. Rivera-O'Reilly, the vice president of the Senate.

"After many litigation, this process still has to be determined. This discourse speaks to the process that began before the formation of the 32nd Legislature. On January 9, 2017, the Board of Elections gave an oath of office to members of the 32nd Legislature with an exception of Senator-Elect Rodriquez," Mr. Jackson said.

Testimony was received from a myriad of testifiers, among them Mr. Rodriquez, Ms. Sarauw, Attorney General Claude Walker, Supervisor of Elections Caroline Fawkes, and former Delegate to Congress Donna M. Christensen, to name a few.

The pendulum swung on multiple occasions during the all-day session; at times, it seemed as if a majority of senators were leaning towards approving Mr. Rodriquez, and other times -- especially when Mr. Rodriquez was being grilled about the residency matter and whether he intentionally lied under oath -- it swung to Ms. Sarauw.

Minority senators, though, did not hide their frustrations; they had long called for a session to determine Mr. Rodriquez's fate, and yesterday's session, they opined, should have been done months ago. At one point, Senator Positive Nelson said whatever the outcome of the session, Mr. Rodriquez, he said, should be paid for all the months he had not been seated; Senator Janette Millin Young chided the majority and asked openly what was the purpose of the session, suggesting that Mr. Rodriquez should have been seated long ago. And Senator Tregenza Roach, a sharp attorney with strong oratory skills, at one point said it troubled his core, that he, who was born in St. Kitts, had to question the eligibility of Mr. Rodriquez to serve the land in which he was born.

Mr. Jackson attempted to explain what led to the momentous day, reminding that Mr. Rodriquez was already given committee assignments, [as well as a committee to lead](#) (the Committee on Workforce Development, Consumer Affairs and Culture), following his election. However, the Supreme Court's decision to bar Mr. Rodriquez from taking the oath of office on January 9, set in motion a series of events that led up to the Tuesday session, Mr. Jackson explained.

Mr. Walker, who the body was attempting to rely on for guidance during the early moments of the session, distanced himself the matter, telling lawmakers that the Third Circuit Court of Appeals' ruling was clear: Only the Senate can determine the fate of its members. Multiple attempts to get definitive answers from Mr. Walker were futile, and he was later scolded by Mr. Roach, who reminded the attorney general of stances he had taken in the past relative to the Rodriquez/Sarauw issue, seemingly with the aim of influencing the outcome.

Senator Kurt Violet challenged a notion that was gaining momentum during the session that the only consideration should be whether Mr. Rodriquez met residency requirements. He argued that the integrity of the process was also at stake, contending

that the outcome of the landmark hearing would have lasting implications.

After hours of grilling from senators -- and pointed, well researched questions from Mrs. Rivera-O'Reilly -- guessing how senators would vote when the session finally concludes, is anyone's guess. Many appear to be legitimately concerned about Mr. Rodriquez's probity after he signed bankruptcy documents stating that he was a resident of Tennessee in 2016, after he had lived in the Virgin Islands for three years prior; Mr. Rodriquez described the issue as "an honest mistake."

But emotional testimony from the senator-elect and his wife, may wind up serving as powerful determining factors for lawmakers.

In giving testimony, Mr. Rodriquez laid bare private details of the relationship with his wife. Married for many years, the couple had grown estranged and Mr. Rodriquez decided to leave the home in Tennessee to his wife, along with their two daughters. In 2013, he moved to the territory, where he worked and lived for three years, but said he was forced to rush back to Tennessee in 2016 to try and save the home that housed his estranged wife and their children. The process of preventing foreclosure was happening fast Mr. Rodriquez said, stating that he wound up skimming through documents -- among them a document that placed his residency in Tennessee -- and signed it without thorough vetting; his only concern was to save the home, he said. Mr. Rodriquez's wife gave a similarly touching testimony that pulled on the heartstrings, forcing lawmakers to weigh the lengths that they would go to help their own family.

Whether it will be enough, along with other important considerations, to cause lawmakers to seat Mr. Rodriquez, will soon be known. The session continues today.